

Excerpts
Planning Commission Minutes
March 14, 2001

Application No. UP-571-01, Berrane Enterprises, Inc: Request for a special use permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (category 14, number 6), to authorize the establishment of a 34,900-square foot mini-storage warehouse facility behind Rip's convenience store on a 5.83-acre parcel located at 905 Denbigh Boulevard (Route 173) approximately 917 feet east of the Newport News city line and further identified as Assessor's Parcel No. 28-(1)-A. The property is zoned GB (General Business) and designated for General Business uses in the Comprehensive Plan

Mr. Tim Cross presented a summary of the staff memorandum dated March 6, 2001 in which the staff recommended approval by adopting Resolution PC01-08. Mr. Cross noted that over the past 18 months there have been six or more applications for mini-storage warehouses, all but one having been recommended by the staff for denial. He summarized the features that distinguish this one from other recent applications for mini-storage facilities.

The Chair opened the public hearing.

Mr. Charles Berrane, Berrane Enterprises, 2231 Route 17, appeared on behalf of his application and offered to answer questions.

Mr. Berrane, responding to questions, indicated that existing signage for the convenience store will be enhanced to include the mini storage business; he will enhance the existing buffer; he would be amenable to a prohibition on chain link fencing; and he does not object to the proposed conditions.

The Chair closed the public hearing.

Mr. Semmes asked when the approved residential developments on either side of the property would be constructed; Mr. Cross said that staff has recently met with the developer, who has modified his development plans. The developer hopes to start construction this year.

Mr. Semmes wanted to know if the transitional buffer in the rear would be the applicant's property, and Mr. Cross noted that Mr. Berrane has agreed to provide the full transitional buffer on his property although the Zoning Ordinance would provide for a shared buffer in this case.

Mr. Beil inquired about the need for a traffic turn lane headed east on Denbigh Boulevard. Mr. Cross said there is no need at this time because mini-storage facilities are very low traffic generators, but if it is needed in the future, it would be engendered by the convenience store, not by the proposed use.

Mrs. White asked about other permitted uses for the property. Mr. Cross explained that most types of retail operations are permitted in a General Business district, but because of the low visibility of the

location, the economic viability is limited and this was another grounds for the recommendation of approval. Mr. Shepperd added that the proposed business might generate more growth in the area.

Mr. Hendricks moved the adoption of PC01-8(R) with a revision to Condition 12 to eliminate the use of chain link fencing. It was approved by a roll call vote of 7:0.

PC01-8(R)

On motion of Mr. Hendricks, which carried 7:0, the following resolution was adopted:

**A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT
TO AUTHORIZE A MINI-STORAGE WAREHOUSE FACILITY AT 905
DENBIGH BOULEVARD**

WHEREAS, Berrane Enterprises, Inc. has submitted Application No. UP 571-01, which requests a special use permit, pursuant to Section 24.1-306 (Category 14, No. 6) of the York County Zoning Ordinance, to authorize a 34,900-square foot mini-storage warehouse facility on a 5.83-acre parcel located at 905 Denbigh Boulevard (Route 173) approximately 917 feet east of the Newport News city line and further identified as Assessor's Parcel No. 28-(1)-A; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 14th day of March, 2001 the Application No. UP-571-01 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize a 34,900-square foot mini-storage warehouse facility on a 5.83-acre parcel located at 905 Denbigh Boulevard (Route 173) approximately 917 feet east of the Newport News city line and further identified as Assessor's Parcel No. 28-(1)-A, subject to the following conditions:

1. This use permit shall authorize a 34,900-square foot mini-storage warehouse facility on a 5.83-acre parcel located at 905 Denbigh Boulevard (Route 173) approximately 917 feet east of the Newport News city line and further identified as Assessor's Parcel No. 28-(1)-A.
2. A site plan, prepared in accordance with the provisions of Article V of the York County Zoning Ordinance, shall be submitted to and approved by the County prior to the commencement of any construction or land clearing activities on the site. Said site plan shall be in substantial conformance with the sketch plan titled "Development Plan of Colony Pines Self Storage," prepared by Davis & Associates, P.C. and dated January 25, 2001, except as modified herein.

3. The mini-storage warehouse facility shall be developed and operated in accordance with the standards set forth in Sections 24.1-483, Standards for all wholesaling and warehouse uses, and 24.1-484, Standards for mini-storage warehouses, of the York County Zoning Ordinance.
4. The development shall be limited to a maximum of 34,900 net square feet of rentable space.
5. The hours of operation of the facility shall be limited to 6:00 a.m. to 9:00 p.m. daily.
6. All buildings facing either Denbigh Boulevard (Route 173) or the PD-zoned property to the rear of the parcel shall have façades of brick, stucco, or similar decorative building materials.
7. A Type 35 (35-foot) transitional buffer shall be provided along the rear of the property.
8. A twenty-foot (20') landscape yard shall be provided along the parcel frontage adjacent to Denbigh Boulevard and shall be landscaped in accordance with the planting ratios set forth in Section 24.1-242(h)(1) of the York County Zoning Ordinance.
9. Access to the site shall be from the existing Rip's convenience store entrances. No additional entrance on Denbigh Boulevard (Route 173) shall be permitted.
10. All warehouse bay doors shall face the inside of the mini-storage warehouse development. No warehouse doors shall be located along or in the exterior façade of the mini-storage warehouse development.
11. The parcel, including the existing Rip's convenience store and the mini-storage warehouse facility, shall be limited to one freestanding sign meeting all sign area, height, and location standards set forth in Article VII of the Zoning Ordinance.
12. All fencing shall be of a masonry, wrought iron, or similar decorative material. The use of theft-deterrent wire (i.e., barbed wire, razor wire, etc.) anywhere on the property shall not be permitted.
13. Building height shall be no greater than fifteen feet (15'), as measured from the finish grade, except for any gables on the decorative facade, which may be no greater than thirty feet (30'), as measured from the finish grade.
14. Outdoor lighting shall be full cutoff luminaires or a decorative luminaire with full cutoff optics. All lighting shall be directed downward and shall not spill over onto adjacent properties or public rights-of-way. All lighting except low-level security lighting shall be extinguished between the hours of 11:00 PM and dawn. In addition, the applicant shall submit a photometric plan indicating all outdoor lighting on the site. This plan shall be approved by the Planning Division prior to the installation of any lighting on the site.
15. Development of the mini-warehouse project shall be contingent on the provision of an adequate water supply for firefighting, as required by Section 24.1-261(b)(2) of the Zoning Ordinance.

Compliance with this requirement for this particular development project shall require one of the following to be accomplished:

- a) A public water supply adequately sized for required fire flows shall be extended to the project site, and fire hydrants shall be installed on the site at such locations determined by the fire chief to be necessary to provide appropriate fire protection coverage; or
 - b) The developer shall install or guarantee the installation of the on-site components of the public water supply and fire hydrant system described in Sub-paragraph 15 a) above so as to accommodate future connection to the public water supply required to be extended to the subject site by others under the terms of the Colony Pines of York Planned Development approval (reference Ordinance No. O92-37(R)). The developer shall agree to construct such on-site components and/or connect to the public water supply within 180 days of being notified by the County Administrator that water lines have been extended to the property. The developer's obligation to install and/or connect the on-site fire protection system to the public water supply at such time as it is extended to his property line shall be guaranteed and secured by a letter of credit or cash escrow in an amount determined by the County Administrator. In addition, the developer shall provide an adequate on-site water storage system (tank or pond) or other acceptable arrangement, as determined by the York County Department of Fire and Life Safety, which is capable of supplying fire flow needs on an interim basis until such time as the public water supply connection is made.
16. The applicant shall be responsible for compliance with the regulations in Section 24.1-115(b)(6) of the Zoning Ordinance that pertain to the recordation of this resolution in the office of the Clerk of the Circuit Court.
